(2) TL 2437

PREPARED TESTIMONY

on

HUMAN RIGHTS IN INDONESIA AND IN EAST TIMOR

for the

SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS

and the

SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS

of the

COMMITTEE ON INTERNATIONAL RELATIONS

of the

HOUSE OF REPRESENTATIVES

February 6, 1980

by

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Mr. Chairman,

For the third time now in four years I have come to present testimony to the Congress on the question of human rights in Indonesia, and the relationship between that question and American foreign policy. I regret to say that on balance those rights are as seriously violated today as they were four years ago, and that recent releases of long-term political prisoners have been more than offset by a whole range of new violations. I shall offer evidence that although the Congress and other institutions concerned with human rights have been able to exert real influence to improve some aspects of the human rights situation, in other respects the situation was deteriorated drastically. I also feel obliged to point out that the Administration, through its Human Rights Reports, its testimony before the Congress, and in practical policy-making, has by deception and prevarication obfuscated the grim realities, and indeed, in significant ways, has itself contributed to this deterioration.

I. Recent releases of long-term political prisoners.

Two months ago, Admiral Sudomo, chief of Indonesia's dreaded security apparatus Kopkamtib, made public the following figures on releases of political prisoners -- men and women who have been imprisoned for as much as fourteen years, without trial, and without being informed of the charges against them:[1]

1975	1,309	prisoners
1976	2,500	
1977	10,000	
1978	10,000	
1979	9,180	

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1. According to the semi-official Indonesian newsagency Antara, December 8, 1979. The Admiral added that only 61 such prisoners -- those never destined for trial -- would still be in confinement by the end of 1979.

These show a dramatic shift in Indonesian policy which must certainly be welcomed. I believe that it is no coincidence that large-scale releases began in 1977, the year that Amnesty International both won the Nobel Peace Prize and made Indonesia its top global priority target, and one year following the Congress's first public inquiry into violations of human rights in Indonesia. The releases were clearly also a response to Congressional legislation tying U.S. military and economic assistance to the absence of gross human rights violations in the recipient country.[2] (At the same time, the releases were intended to minimize the negative impact of other massive human rights violations, particularly in East Timor, as will be described below). There can also be little doubt that the Indonesian military regime's decision to permit the International Committee of the Red Cross (ICRC), Catholic Relief Services (CRS), and the foreign press some limited access to East Timor during the past year -- after barring such access for almost 4 years previously -- is also a reaction to the growing international furor on the subject, and a series of Congressional hearings that began in 1977.[3]

These facts are encouraging, and show how shallow are the views of those self-styled "realists," in the Administration and elsewhere, who have criticized human rights advocates as naive, ineffective meddlers in foreign policy. By contrast, they also show how ineffective has been the vaunted policy of "quiet diplomacy," which over many years achieved no significant amelioration of the

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2. I refer to section 601 (b) of the International Security Assistance and Arms Export Control Act of 1976; and sections 502 (b) and 116 of the Foreign Assistance Act of 1961 as amended.

3. See Human Rights in East Timor and the Question of the Use of U.S. Equipment by the Indonesian Armed Forces, Hearing before the Subcommittees on International Organizations and on Asian and Pacific Affairs, of the Committee on International Relations, House of Representatives, March 23, 1977 (Washington, D.C.: U.S. Government Printing Office, 1977); Human Rights in East Timor, Hearings before the Subcommittee on International Organizations, June 28 and July 19, 1977 (Washington, D.C.: U.S. Government Printing Office, 1977); "U.S. Policy on Human Rights and Military Assistance," in Foreign

plight of Indonesian political prisoners, and which on balance has actually abetted the Suharto regime's aggression and repression in East Timor.

II. Major Areas of Human Rights Violations.

A. Long-term political prisoners.

Although the recent large-scale releases of these prisoners, after more than a decade of incarceration, is gratifying, very serious problems still remain. Ex-prisoners, the total number of whom is certainly over 500,000,[4] have not regained full citizenship and remain in a legal limbo, even though they have been convicted of no crimes and, indeed, have never been given the benefit of a trial in court. Those recently released are required to report to the military security apparatus (Kopkamtib) on a weekly basis; they are not permitted to travel from place to place without Kopkamtib's permission; and they may be rearrested at any time, again without charges, if Kopkamtib disapproves of something they do.[5] As one ex-prisoner put it: "What is given us is freedom on loan. It could be taken from us at any time."[6]

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3. (cont.) Assistance Legislation for Fiscal Year 1979 (Part 4), Hearings before the Subcommittee on International Relations, February 15, 16, 28; March 7 and 8, 1978 (Washington, D.C.: U.S. Government Printing Office, 1978), pp. 1-80; on December 4, 1979, hearings on famine relief to East Timor were held before the Subcommittee on Asian and Pacific Affairs of the House Committee on International Relations.

4. According to General Yoga Sugama, Chief of Staff of Kopkamtib and concurrently head of Bakin, Indonesia's State Intelligence Agency, cited in the official Armed Forces newspaper Angkatan Bersenjata, November 22, 1979.

5. Statement of Kopkamtib chief Admiral Sudomo, in Kompas, December 21, 1979.

6. Newsweek, January 2, 1978. Not just physical freedom is on loan. Admiral Sudomo recently told the press that the prison manuscripts of Indonesia's most famous novelist, Pramudya Ananta Tur(released in December 1979 after 14 years in confinement without trial) remain in Kopkamtib's hands. Kompas, December 21, 197

Ex-prisoners also frequently find themselves in desperate economic circumstances. Even those whose physical and mental capacities have not been irreparably damaged by many years in prison face severe difficulties when they attempt to re-enter the job market. Employment in any branch of the government, including the vast state educational system, as well as in what the government calls "vital enterprises"(covering most of the modern sector of the Indonesian economy) is barred to former prisoners. Kopkamtib chief Admiral Sudomo has recently stated that anyone 12 years old or over at the time of the October 1, 1965 "coup," who wishes to apply for a government or "vital enterprise" job, must be in possession of an official "certificate of non-involvement" in that coup.[7] No case is known to me where a member of that overwhelming majority of former prisoners who have never even been charged with an offence, has been able to obtain such a certificate in an aboveboard fashion. Former prisoners' identity cards are punched with a special code, to insure that their imprisonment haunts them long after their release -- something that does not apply even to convicted murderers once they have served their legal sentences.[8]

Finally, the "coup-related" trials, in which over the past 13 years not a single defendant has ever been acquitted, still continue.[9] Admiral Sudomo has just announced that, in this fifteenth year after the coup, Generals Pranoto Reksosamudro, Rukman, and Suharyo will soon be arraigned -- even though Suharyo was not in Indonesia at the time of the coup, and only returned from exile in 1977.[10]

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7. See Angkatan Bersenjata, December 21, 1979. There are persistent reports that many of today's highschool leavers, who would have been 5 years old at the time of the coup, still have to have such "certificates of non-involvement" when applying for jobs. See, e.g. Sinar Harapan, May 29, 1979.

8. Tempo (the Indonesian equivalent of Newsweek), December 24, 1977.

9. Some of those tried and convicted -- and sentenced to death -- have been waiting as long as ten years for their appeals for clemency even to be answered.

10. Kompas, December 21, 1979.

B. The Political Prisoners of 1978.

The Committee will recall that early in 1978 there was a violent crackdown on the regime's critics to insure General Suharto's unopposed re-election to a third Presidential term. Newspapers were closed, campuses invaded by tanks, armored cars and troops with drawn bayonets, and hundreds of students arrested, along with some intellectuals, artists, and Muslim notables.[11] Freely elected student unions throughout the country were forcibly dissolved by Kopkamtib, and many of their leaders detained on charges of subversion. You may also remember that the students' opposition, which focussed on corruption in the presidential palace, the rigged 1977 parliamentary elections, and the unconstitutional means used to insure Suharto's re-election as president, among other issues -- was completely peaceful, limited to seminars, poster-campaigns, distribution of leaflets, street parades, and the like. The subsequent fate of some of these students' leaders is grimly illustrative of the human rights climate in Indonesia today.

Mr. Lukman Hakim, former Chairman of the University of Indonesia's Student Council, has vividly described what happened. Initially imprisoned on charges of subversion, he was repeatedly interrogated on these grounds from February to October 1978, at which point the investigation was dropped and release paper's signe But immediately new criminal charges of "insulting the Head of State" were adduced to justify further detention, and later trial, though no further investigation was instituted. Exactly the same thing happened to 30 other student leaders in six different cities.[12] In every case, originally charged as subversives, they were later

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11. For details, see the full account by David Jenkins in Far Eastern Economic Review, February 3, 1978; and my own prepared testimony before the Subcommittee on International Organizations, February 15, 1978, in Foreign Assistance Legislation for Fiscal Year 1979 (Part 4), pp. 27-34. Most of the closed newspapers were eventually allowed to reopen under new, highly restrictive guidelines. All reporters now have to make a written promise to the Minister of Information not to disturb "security and order" by their writings. In contrast to previous practice, individual reporters, no less than editors, are liable for criminal

indicted for "insults," showing clearly coordinated manipulation of the judicial process at the national level.

How were these student leaders treated in detention? Mr. Lukman Hakim records that he and his fellow-students were "brutally interrogated." "Almost all the students detained with us," he stated, "experienced beatings, electrical torture, and isolation in cells. For months we were confined along with criminals, whose cultural traditions -- beatings and other violence -- we did not fail to undergo."[13]

Yet in its 1979 Human Rights Country Report on Indonesia, the State Department insisted that "there is no evidence of systematic torture or police brutality." This is a typical example of State Department prevarication. The Department knows perfectly well that the police have nothing to do with political detentions, which are handled by Kopkamtib and military intelligence.[14]

Since the beginning of 1979, at least 12 student leaders have been put on trial, and all but one convicted. These trials have been administrative mockeries. Press reporting on the proceedings has been severely restricted. Court-rooms have been deliberately packed with military and police officials, intelligence operatives, and simple hirelings. Taping of the proceedings has been forbidden. And the public-

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11. (cont.) prosecution for anything deemed "inflammatory" or "irresponsible" by the Minister. It should be noted that the present Minister, Lt. Gen. Ali Murtopo, till recently Deputy Head of the State Intelligence Agency, is also concurrently head of the Special Operations (Opsus) private intelligence empire of the presidential palace, and one of the most feared men in Indonesia.

12. See the formal demurrer, dated February 21, 1979, presented by Mr. Lukman Hakim at the opening of his trial, as translated in Indonesia, 27 (April 1979), pp. 3-10, at pp. 9-10.

13. Ibid., p. 7. Note that this demurrer was issued with the concurrence of Mr. Lukman Hakim's defense team, which included some of the State Department's "well-informed human rights advocates in Indonesia," -- men such as Yap Thiam Hien, Adnan Buyung Nasution, Suardi Tasrif, and Anwar Haryono.

14. Although the Department may be technically correct in asserting that the police

ation of the defence plea of Mr. Heri Akhmadi, former chairman of the Bandung Institute of Technology's Student Union, by the Legal Aid Institute, was prohibited by Indonesia's Attorney-General on July 14, 1979 -- the first time in Indonesian history that a court-room document of this kind has been banned from public circulation.[15]

That the sentences of student leaders handed down during this past year -- ranging from 8 months to 2 years in jail -- have been less severe than those imposed after the January 1974 student demonstrations, is clearly the result of the regime's fears of highly negative reactions overseas and in Indonesia itself. The fact remains, however, that the sentences themselves are administratively decreed and have nothing whatever to do with any impartial judicial process.

The mentality of Indonesia's rulers and the present political climate for human rights in Indonesia are revealed by draft Revised Criminal Code now being rammed through the powerless parliament. This draft has been categorically rejected by the Association of Indonesian Advocates (Peradin) as worse than the repressive existing code inherited from the Dutch colonial era.[16] When the draft becomes law, defendants will no longer be permitted to meet privately with their lawyers: representatives of the police and the prosecutor must always be present. The police will be permitted to detain a suspect for as long as a year without specifying any charges.[17] Any form of compensation to those wrongfully detained is expressly ruled out.

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14. (cont.) are normally not involved in the torture of political prisoners. This does not mean that other types of detainees do not suffer cruelties at the hands of the police. Despite existing press censorship, instances do occasionally get reported. Tempo, July 7, 1979, tells of police deliberately shooting a suspect under interrogation in the foot. When amputation was required some days later, the police falsely claimed that the man had been shot while attempting to escape.

15. Decree of the Attorney-General No. 002/D/7/1979, cited in Pelita, July 16, 1979. See the comment of Mr. Adnan Buyung Nasution, well-known human rights lawyer and head of the Legal Aid Institute, in Kompas, July 25, 1979.

More alarming still is the fact that at least two Muslim student leaders, temporarily released pending trial, have recently died in suspicious traffic accidents, while another escaped a similar death only by luck.[18] The human rights situation under the Suharto regime has been well summarized by another former student leader currently on trial, as follows:[19]

> Political terrorism is part of the "anything goes" system so widespread in Indonesia, and is sometimes carried on on a mercenary basis (special operations). The methods include: having the houses of people disliked by the regime stoned; sending anonymous letters; intimidation with weapons or less direct means; organizing hooligans and mafia-type groups to frighten people disliked by those in power; night-time operations to plant leaflets on people's doorsteps; sending transvestites in to cause chaos among demonstrators, and then arresting these transvestites, but also demonstrators; hiring professional killers to commit murders with watertight alibis; hiring prostitutes to tail political notables; sending in apparent madmen or idiots to student meetings or any activity the regime distrusts; hiring "masseuses" to hang around the lobbies of political conferences; installing bugs in meeting-rooms; infiltrating informants into "suspicious" meetings of Islamic scholars; making ammonia bombs to be exploded during dramatic performances critical of the government; hiring people to pretend to be reporters taking pictures; ordering military men to pose as rickshaw-drivers, roadside food-vendors, etc., in the context of "total intelligence operations"...

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16. Merdeka, November 3, 1979.

17. Under the existing code such detention is limited to one month; any further detention requires an express, written request from the public prosecutor. The draft Revised Criminal Code, giving enormous discretionary powers to the police, will make Indonesia even more of a police state than it is already.

18. Last July, in the space of twenty days, the former chairman of the Malang Teachers' Training College Student Union and the former chairman of the Surabaya State Islamic Training Institute Student Union were both run over, with trucks appearing out of nowhere to block pursuit of the killer-drivers. On September 8, 1979, the former chairman of the Jakarta State Islamic Training Institute Student Union was also hit by a vehicle and would have died if the wall he was hurled against had not been of bamboo, rather than stone or concrete.

19. Defence plea of Mr. Sukmadji Indro Tjahjono, former caretaker head of the Bandung Institute of Technology Student Union, dated September-October 1979, and entitled "Indonesia dibawah Sepatu Lars" (Indonesia under the Jackboot), p. 138. The accuracy of this picture is confirmed from interviews with members of different opposition groups and foreign scholars, and indeed is an open secret.

And finally,since the State Department has recently made a good deal of the Suharto regime's helpfulness in accommodating 60,000 Sino-Vietnamese "boat people" refugees on Galang Island, as evidence of a deep concern for human rights, the Congress should be aware of two facts. First, Indonesia is being quite well paid for its efforts. On August 4, 1979, Foreign Minister Mochtar Kusumaatmadja told the press that his government had already received $5,000,000 from the U.S., $1,000,000 from Australia, and $200,000 from South Korea, while Japan had promised $6,500,000.[20] Secondly, less than two months ago -- on December 21, 1979 -- Kopkamtib chief Admiral Sudomo, one of the half dozen most powerful men in Indonesia, told foreign correspondents in Jakarta that all alien Chinese residents in Indonesia who refuse to become Indonesian citizens will be forcibly repatriated to China or Taiwan, and that registration of these alien residents (who number in the hundreds of thousands) had already begun.[21]

C. East Timor.

As a series of dramatic recent reports in the New York Times, the Washington Post, and the Christian Science Monitor have made clear, the most appalling violations of human rights recently perpetrated by the Suharto regime have taken place in the former Portuguese colony of East Timor.[22] These violations have been of two basic kinds: violations of the East Timorese people's collective right to self-determination, assured them by the Charter of the United Nations; and the personal human rights of untold thousands of East Timorese individuals and families.

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20. See the official Indonesian Armed Forces' newspaper Angkatan Bersenjata, August 6, 1979.

21. Merdeka, December 22, 1979.

22. See the extensive report of Henry Kamm, from East Timor, in the New York Times, January 28, 1980; of James Markham, based on interviews with East Timorese refugees in Lisbon, New York Times, January 29, 1980; and of Daniel Sutherland, in the Christian Science Monitor (International Edition), December 17, 1979. See also the New York Times, December 5 and 14, 1979; the New York Times editorial on Christmas Eve, 1979; and the Washington Post editorial, February 2, 1980.

As the Committee is aware, the Indonesian military launched a massive invasion of East Timor on December 7, 1975, one day after President Ford and Secretary of State Kissinger visited Jakarta. As Mr. George Aldrich, Deputy Legal Adviser to the State Department, has publicly confessed, this act of naked aggression was carried out by troops "armed roughly 90% with our equipment.... My guess is that we knew that they could not have conducted a substantial operation without the use of our weapons."[22] Although the invasion was a clear-cut violation of the 1958 U.S.-Indonesian bilateral arms agreement,[23] and although the House Subcommittee on International Organizations was explicitly told on July 19, 1977 that the State Department did not feel that there had been any valid exercise of the East Timorese people's right to determine their own future,[24] the Ford Administration accepted Indonesia's claimed annexation almost immediately, and the Carter Administration has followed suit.

This cynical acquiescence to Jakarta's aggression and annexation is depressing enough in itself, but it is particularly repellent coming from an administration which is now trying to rally world opinion against Soviet aggression and purported annexation in Afghanistan. Just how far U.S. policy has departed from international standards of decency, and how widely Indonesia's violation of East Timor's right to self-determination has been condemned, is underscored by the facts that: 1) every annual session of the U.N. General Assembly since the invasion has decisively

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22. See Human Rights in East Timor, p. 62. On March 23, 1977, Deputy Assistant Secretary Robert Oakley admitted to the Subcommittee on International Organizations that American C-130 Hercules transports were used to launch the invasion and that Indonesian paratroops leading the attack were armed with American weapons. See Human Rights in East Timor and the Question of the Use of U.S. Equipment, p. 12.

23. This agreement states, inter alia, that "Any weapons or other military equipment...shall be used...solely for legitimate national self-defence... / which excludes / an act of aggression against any other state."

24. Testimony of State Department Deputy Legal Adviser George Aldrich, Human Rights in East Timor, p. 63. This position was reaffirmed two months ago

rejected Indonesia's annexation;[25] 2) that America's most important allies, the democracies of Western Europe, have refused to adopt the American position;[26] and that at the recent Conference of Non-Aligned Nations, of which Indonesia is a prominent member, only 7 delegations out of 93 accepted Indonesia's claims.[27] It is also to be noted that our ally Portugal has never accepted the annexation, and that the new conservative government in Lisbon has very recently announced that East Timor will become one of its major foreign policy involvements over the next few months.[28]

The horrifying nature and scale of the Suharto regime's violations of individual human rights in East Timor bears comparison with the situation in Cambodia. It is widely believed that at least 100,000 people, one sixth of the country's population on the eve of the invasion, have died as a result of what the New York Times calls Indonesia's "unjust war" and "ruthless military occupation."[29] As Stephen Rosenfeld wrote in the Washington Post on November 23, 1979:[30]

> This Thanksgiving the big news on the international front is that starvation is back as a pretty well accepted political tactic...The situation in Cambodia, where Vietnam and its puppet regime, with Soviet approval, have been forcing a surrender-or-starve choice upon the Cambodian people, is merely the most conspicuous, vicious and "successful" case. The Indonesians, who enjoy American patronage, have been doing it inconspicuously in rebellious East Timor for years.

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24. (cont.) by Assistant Secretary of State Richard Holbrooke at hearings held by this Committee on December 4, 1979.

25. At the most recent session of the General Assembly, only 30 countries voted with the U.S. in support of Indonesia. Twice as many (62) voted against. Forty-five abstained.

26. Not one single Western European country, including our NATO allies, voted with the U.S. at the latest U.N. General Assembly session.

27. Tempo, September 22, 1979.

28. Christian Science Monitor, January 15, 1980.

And what about the rest of the population? Mr. Christian Holmes, of the Office of U.S. Foreign Disaster Assistance, told this committee last December 4, that as of September 1979, the International Red Cross and Catholic Relief Services estimated that 200,000 East Timorese were suffering from acute malnutrition, with 60,000 in need of urgent medical attention. Assistant Secretary of State Richard Holbrooke told the committee on the same day that some 200,000 people -- i.e. at least one third of the entire population -- are now living in 150 of what he chose to call "resettlement areas." The real nature of these "resettlement areas" is revealed by Henry Kamm's recent interview with an agricultural specialist working with the Indonesian military in East Timor, who said that the plan for these "areas" had been drawn up "largely for strategic reasons, placing the population where the army can control it."[31] And Mr. Bruce Cameron, legislative representative concerned with foreign affairs for Americans for Democratic Action, testifying before this committee on December 4 last, cited a report prepared by the U.S. Embassy in Jakarta last September as follows:

> It is difficult to distinguish how many people have been moved into the resettlement villages by the Government of Indonesia and how many of them have come into them on their own. The point is that the people are now in these villages and the Government of Indonesia plans for them to remain there.

Ambassador Edward Masters' grotesque claim before this committee just two months ago that the Indonesian authorities are benignly moving the East Timorese to

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29. New York Times editorial, December 24, 1979. In the New York Times, January 28, 1980, Henry Kamm cited local Catholic sources in East Timor as estimating that 100,000 people had already died "in the war and attendant famine." Italics added. Interviewed by New York Times editors last December, Father Leoneto do Rego, a 63-year old Portuguese priest who recently got out of East Timor after working there for 23 years, gave a figure of about 200,000 deaths. See the Boston Globe, January 20, 1980; and New York Times, December 14, 1979.

30. Washington Post, November 23, 1979. Italics added.

31. New York Times, January 28, 1980.

better land than the eroded fields resulting from their slash-and-burn agricultural practices should be contrasted not only with his own Embassy's internal report, but with the verdict of the agricultural specialist interviewed by Mr. Kamm that "the resettlement project will make East Timor permanently dependent on food imports."[32]

The Australian Council for Overseas Aid, in a detailed report of July 1979, noted that the inmates of these "resettlement villages" are not permitted to leave them without permission from the Indonesian military; that their location is a function of military considerations, not the fertility of nearby land; and that some prisoners -- for that is what they really are -- are subjected to forced, unpaid labor by the Indonesian army.

Other violations of basic human rights in East Timor, scarcely less grim, can only be listed here summarily, as follows:

1. As Mr. Cameron testified last December 4, reports reaching the outside world suggest there are at least 40 prisons in East Timor, for a population now numbering less than half a million, and described by U.S. officials as simple slash-and-burn agriculturalists. No outside observers, not even the International Red Cross, have been permitted to inspect these institutions.

2. Reports from a variety of sources, including U.S. officials (off the record), describe summary executions of surrendering Fretilin (national resistance) guerrillas; the entire family, including small children, of Fretilin leader Rogerio Lobato, younger brother of the late Fretilin chief Nicolao Lobato, was executed by the Indonesians.[33] Many former guerillas who surrendered under Suharto's

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32. New York Times, January 28, 1980. Italics added.

33. Executed were Mr. Rogerio Lobato's 17-year old wife Maria; two younger sisters; a younger brother; a foster-sister; and her parents, Mr. and Mrs. Leite. See the detailed report in Action for World Development (Australia), Dossier on East Timor for the International Committee of the Red Cross, September 1979, p. 2.

self-proclaimed amnesty program have subsequently disappeared.[34]

3. Inhabitants of East Timor have been forcibly prevented from leaving. Virtually no native Timorese have been allowed to escape; the same is largely true of Portuguese citizens. Only a small cluster of Chinese have managed to get out, at the cost of paying what, in the East Timor context, are enormous bribes to Indonesian officials.[35]

4. A ruthless pillaging of East Timor's economic resources has been practiced. The country's high-quality coffee exports have been subjected to a warlord-type local military monopoly.[36] The coffee, bought up by the monopoly for 30 to 40 cents per kilogram from East Timorese farmers, is resold in Jakarta for about $13 per kilogram.[37] International relief supplies have also been manipulated and embezzled by the local Indonesian military. In some cases, the distribution of relief has been made contingent on "loyalty," and even on the performance of intelligence functions for the army. In other cases, clothing, medicine, and other vital commodities have ended up, not with the refugees, but on the local black market. As refugees told James Markham:[38]

> Ranking Indonesian officers have organized a system, using soldiers as middlemen, to divert Indonesian, Red Cross and other humanitarian relief, chiefly rice, to shops in Dili....We talked to the small soldiers and they complained they were not getting enough from the big ones selling it.

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34. New York Times, January 29, 1980.

35. Refugees have given bribe figures ranging from $1,000 (Christian Science Monitor, January 15, 1980), through $2,000 (New York Times, January 29, 1980) to $A 4,000 (Canberra Times, January 22, 1979). If Ambassador Masters was correct when he told the committee on December 4, 1979 that East Timor's poverty is comparable to that in the neighboring Indonesian province of East Nusa Tenggara where the per capita income is $32 per year, the lowest bribe figure represents the accumulated average earnings for over thirty years work

36. The company is P.T. Denog, controlled General Dading Kalbuadi, the first Indonesian military commander in East Timor, personally responsible for much of its suffering, and now Commander of the 16th Military Region, of which East Timor has been made a part. Ironically enough, the Chairman of the Indonesian

It is important to emphasize that even now the ICRC, barred from East Timor from the time of the December 1975 invasion through the spring of 1979, has still been permitted only three foreign personnel -- one doctor, one nurse, and one administrator -- though it is supposed to deliver effectively almost $2,000,000 in aid to tens of thousands of East Timorese.[39] It has to work through the Indonesian Red Cross, whose officials, even when dedicated, are subject to severe political controls by the military. Catholic Relief Services, in effect a subcontractor for USAID, has not even been allowed to station one foreigner on a regular basis in East Timor.

5. Since the Indonesian occupation began, foreign correspondents have been systematically excluded from East Timor; on the rare occasions when some have been let in they have been prevented from making free contacts with the population. The only American correspondent of note to have visited East Timor recently, Mr. Henry Kamm of the New York Times, notes that for two whole years his requests for permission to visit were denied, and that on his first visit, which occurred less than two weeks ago:[40]

> Major Mandalika of Indonesian intelligence was always present, took notes during interviews not only with ordinary people but also with officials of Timorese origin, and often peered openly at the notes the reporter was taking. Explaining his actions when challenged he said: 'I must stay with you so you get the right information. My boss told me to go with you wherever you go. If you interview the man in the street, you may get the wrong information.'

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36. (cont.) Chamber of Commerce (Kadin), not coincidentally President Suharto's younger brother Mr. Probosutedjo, recently complained publicly about the "tragic" consequences for East Timorese farmers of this monopoly's operations. He stated that even in East Timor coffee purchased from the farmers at Rp. 250 (about 40¢) per kilo was being resold locally at Rp. 1,000 ($1.60). He urged the Minister of Defense to discipline his subordinates. Merdeka, December 23,1979.

37. See Newsletter No. 49 (December 1979) of Asian Bureau Australia, p. 21.

38. New York Times, January 29, 1980; also Christian Science Monitor, January 15, 1980

Still clearer evidence of the Suharto regime's fear of the truth getting out about conditions in East Timor is the fact that the news blackout has extended to the domestic Indonesian press. The regime has never admitted to its own people that it invaded Timor; Indonesian soldiers killed there have been quietly interred without public honors; and even the name of the military commander in the area, General Dading, was kept secret for several years.[41]

The realities of human rights conditions have been well epitomized by a recent refugee from Dili, who told James Markham of the New York Times that:[42]

> Dili /is/ a 'world of terror,' full of informers and spies. Police units forcibly break up small groups on the streets, residents are afraid of being arrested for listening to foreign radio broadcasts, mail is censored, the use of Portuguese is forbidden, and the Timorese live in fear of being denounced as sympathizers of the guerrillas...

Another refugee related that his brother, falsely denounced as a Fretilin member, had been "tortured with electricity. He was in jail for 16 months. If it is a lady, they go in with cigarettes on the face and on the body."[43]

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39. As Mr. Cameron informed the committee on December 4, 1979, there were more ICRC personnel in East Timor prior to the Indonesian invasion than there are today. The ICRC was not permitted to begin actual relief operations in East Timor until last September.

40. New York Times, January 28, 1980. The ultimate boss should be identified for the record. All sources agree that the eminence grise of Indonesian repression in East Timor is General Benny Murdani, simultaneously head of G-1 (Intelligence) in the Department of Defence, head of the Strategic Intelligence Command, and Deputy Chief of Bakin, the State Intelligence Agency --one of the most feared men in the Suharto regime.

41. The local press blackout becomes more understandable if one notes that the initial invasion was a nightmare of bloody incompetence. I have heard Pentagon officials say that the Indonesian army's performance made the late Royal Lao Government's army look professional. Operations in Timor have been costly in other senses. It is reliably reported that Indonesian NCOs pay Rp. 10,000 (about $18), or one month's full salary, to insure that they not be sent to to fight in Timor. There are stories of "fragging" of commanders by soldiers who have lost confidence in their leadership. See the defence plea of Mr. Sukmadji Indro Tjahjono, p. 169. Sukmadji suggests (p. 170) another reason

III. The Human Rights Role of the State Department.

One of the most distressing aspects of the whole human rights situation in Indonesia and East Timor has been the role of the Department of State. Testifying before the Subcommittee on International Organizations in February 1978, I felt obliged to characterize State's February 1978 Country Report on human rights in Indonesia as "a scandal -- inaccurate, tendentious, evasive and shoddily researched." The February 1979 report was in some respects even less accurate and truthful. Limitations of space and time permit me to mention only three blatant examples.

a) On freedom of assembly in Indonesia, State asserted that aside from the ban on the communist party, and the legalization of only three political groups, "no other unusual limitations apply to freedom of association." In fact, political groups (aside from the Government's) are prohibited from establishing branches in Indonesia's villages where over 75% of the entire population resides!

b) On invasion of the home, State stated that "there is no known legal prohibition against police search of the home without a warrant. On the other hand there is no evidence of arbitrary behavior on the part of government officials in this area." In fact, Indonesia's law codes expressly prohibit searches without warrant, listing specific exceptions to this rule only under certain emergencies. If State imagines that there is "no evidence of arbitrary behavior," its human rights officers must never have spoken with any former political prisoners.[44]

c) Finally, State seems to find nothing ludicrous in its solemn pronouncement

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41. (cont.) for low-ranking Indonesian soldiers to be concerned. He says that Bandung Institute of Technology lab tests of canned food sent to feed the troops in East Timor found it full of dangerous bacteria, including typhoid germs.

42. New York Times, January 29, 1980.

43. Ibid.

44. Mr. Lukman Hakim's defence plea, for example, describes how the offices of the University of Indonesia's Student Union were ransacked and all the files stolen by security officers, without any warrant or other appropriate legal document.

that "up to 500,000 persons may have been initially detained /in 1965-66/... on suspicion of complicity in the attempted coup." Can anyone give an example of a 500,000-man coup?

But if these prevarications, which suggest that State is more concerned to protect the Suharto regime than to be honest with the Congress and with the American public, are serious enough, they represent only a minor part of the destructive role that the Department has played with regard to human rights in Indonesia. What has happened in East Timor is a terrible illustration of this role.

A. We have seen that Secretary Kissinger and Mr. David Newsom, now Under-Secretary of State for Political Affairs, and at that time Ambassador to Indonesia, were both in Jakarta "consulting" with President Suharto the very day before the initial invasion of East Timor. In the four subsequent years, no evidence has emerged that either man made any real effort to halt this act of aggression made possible only by the use of American weapons, and in violation of existing bilateral U.S.-Indonesian agreements. There is no evidence that either man even regretted the invasion.

B. In March 1977, the Deputy Assistant Secretary of State for East Asian and Pacific Affairs told the Subcommittee on Asian and Pacific Affairs that East Timor had "caused us problems and anguish for a period certainly of a year and a half now."[45] Mr. Oakley then had the effrontery to say that:[46]

> In order to insure that the U.S. was in compliance with the applicable statutes and make good our warnings prior to December 7 /1975/ about the use of U.S. military equipment, we suspended administratively the provision of additional security assistance. This suspension lasted about six months.

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45. Testimony of Mr. Oakley, cited in Human Rights in East Timor and the Question of the Use of U.S. Equipment, p. 6.

46. Ibid.,p. 7. Mr. Oakley's superior, Mr. Holbrooke, made essentially the same claims at those hearings; see ibid., pp. 5-6.

In fact, documentary evidence presented to the Subcommittee on International Organizations in February 1978 showed that in flat contradiction to express statements not only by Mr. Oakley, but also by Mr. Holbrooke, and by Lt. Gen Howard Fish, Director of the Defense Security Assistance Agency, at least four separate offers of military equipment were made to the Suharto regime during this claimed period of "administrative suspension."[47] The equipment offered, and then transmitted, consisted mainly of supplies and parts for Rockwell's OV-10 Broncos, Vietnam War era planes specially designed for close-up counterinsurgency operations, and wholly useless for defending Indonesia against an external enemy. Three OV-10s were delivered in November 1976, three more in February 1977, two more in March 1977 and two more were en route to Jakarta in May 1977.[48]

Why were the OV-10s needed? Again in March 1977, Mr. David Kenney, State's Country Officer for Indonesia, told the Subcommittee on International Organizations and the Subcommittee on Asian and Pacific Affairs, that less than one third of the East Timorese population was then under Indonesian administration; while Mr. Oakley remarked that "the Indonesian forces are maintaining a defensive posture" -- all this nine months after the formal July 1976 annexation and U.S. acceptance of it.[49] In fact, they were a crucial part of the military build-up that made possible the first major counterinsurgency offensive by the Indonesians, in 1977.[50]

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47. Evidence from Pentagon computer printouts cited in Human Rights and the U.S. Foreign Assistance Program. Fiscal Year 1978. Part 2 - East Asia (Washington, D.C.: Center for International Policy, 1977), p. 19. At the February 1978 hearings on Human Rights in Indonesia, I brought this evidence to the Subcommittee's attenti

48. See the letter from the State Department responding to questions submitted by then Congressman Donald Fraser, May 6, 1978, included as Appendix 3, in Human Rights in East Timor and the Question of the Use of U.S. Equipment, p. 63.

49. Ibid., pp. 20 (Mr. Kenney) and 23 (Mr. Oakley).

50. Father Leoneto do Rego told the editors of the New York Times that "Until 1977 people had food commodities aplenty. Problems started in early 1977. A fullscale bombardment of the whole island began. From that point there emerged death, illness despair. A second phase of the bombing was late 1977 to early 1979, with modern aircraft. This was the firebombing phase of the bombing...The genocide and star-

Under these circumstances, Mr. Oakley's and the State Department's "anguish" over East Timor seems like crocodile tears. Tears that concealed a continuous flow of deadly counterinsurgency munitions to the Suharto regime, and also concealed the realities of American policy from the Congress and the public. And the tears are evidently still falling, to judge by Mr. Holbrooke's bland statement to this committee on December 4 last that "the welfare of the Timorese people is the major objective of our policy towards East Timor."

C. I would now like to draw the committee's attention to yet another element in the State Department's role -- the activities of Ambassador Masters. Almost three years after the Indonesian invasion, and two years after the claimed annexation, Mr. Masters made his first visit to East Timor in September 1978, together with other members of the Jakarta diplomatic corps. The seasoned Southeast Asia correspondent Mr. Norman Peagam, reporting for the New York Times, accompanied the party and wrote on September 13, 1978 that:[51]

> Foreign ambassadors...including United States Ambassador Edward E. Masters, came away so shocked by the condition of the refugees that they immediately contacted the governor of East Timor...to explore the possibilities for providing foreign humanitarian assistance.

Yet, testifying before this committee two months ago, Mr. Masters said he "did not complain at the time because the ambassadors at the time did not know how bad it was -- the others felt the same as I did, that the situation was not that serious."[52]

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50. (cont.) vation was the result of fullscale incendiary bombing....People could not plant. In 1979, people began surrendering because there was no other option." The Boston Globe, January 20, 1980 report on Father Leoneto's conversations with the editors of the New York Times. Italics added. Returning from a first visit to East Timor in September 1978, Far Eastern Economic Review correspondent David Jenkins spoke of the deployment of "Indonesian units, backed by helicopters and OV10 anti-insurgency aircraft." See his "Timor's Arithmetic of Despair," Far Eastern Economic Review, September 29, 1978, p. 33; and continuing use of the OV-10s is attested to in the New York Times, January 29, 1980.

51. His report was carried in the San Francisco Chronicle, September 13, 1978, as the New York Times was then on strike. Italics added.

What explains this extraordinary discrepancy? The answer, I believe, is shockingly clear. From late 1977 to early 1979, the Indonesian military, bolstered by deliveries of OV-10 Broncos and other munitions, carried out a major counter-insurgency campaign, culminating in the death of Fretilin chief Nicolao Lobato on December 31, 1978.[53] As an internal State Department document records: "It was not until the spring of 1979 that the Government of Indonesia felt East Timor to be secure enough to permit foreign visitors."[54] On March 26, 1979, the Indonesian military formally dissolved the Seroja Joint Operations Command in East Timor,[55] and in April the ICRC was for the first time in almost four years permitted to make a brief and preliminary on-the-spot survey. Only then did Mr. Masters move. As the same internal State Department document reports:[56]

> On June 1, 1979, the U.S. Ambassador to Indonesia, Edward Masters, determined that a disaster of such a magnitude as to warrant U.S. Government assistance existed in East Timor.

In other words, for nine long months, from September 1978 to June 1979, while "in ever increasing numbers the starving and the ailing, wearings rags at best, drifted onto the coastal plain,"[57] Ambassador Masters deliberately refrained, even within the walls of the State Department, from proposing humanitarian aid to East Timor. Until the generals in Jakarta gave him the green light, Mr. Masters did nothing to help the East Timorese, although Mr. Holbrooke insists that "the welfare of the Timorese people is the major objective of our policy towards East Timor."

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52. This is another gross prevarication. Correspondent David Jenkins, who accompanied the ambassadors on this trip reported that "one ambassador said /the children he saw in one resettlement village/ reminded him of victims of an African famine." Far Eastern Economic Review, September 29, 1978.

53. Henry Kamm recently wrote that the spring 1978 Indonesian offensive "raised the food shortage in the interior disastrously." New York Times, January 28, 1980. Compare Father Leoneto's testimony quoted in footnote 50 above.

Adding further distortions to the record, Mr. Masters made no mention whatever of Indonesian counterinsurgency operations or their effects, when he testified before this committee last December 4. In fact, he had the effrontery to suggest that the appalling plight of the East Timorese was primarily their own fault. It was the consequence, he said, of "the extreme backwardness of the East Timor economy," and almost total deforestation caused by "many years of shifting agricultural production. Erosion is a serious problem and the land can no longer support its former population." In support of all these assertions he added:

> The neighboring province of East Nusa Tenggara is also an arid, remote island area that, in the best of times, is one of the poorest parts of Indonesia. It has the lowest per capita income in the nation -- barely $32 per year...Sixty percent of the preschool children in Nusa Tenggara suffer from malnutrition.

Prof. Shephard Forman, of the Department of Anthropology at the University of Michigan, who spent 15 months doing fieldwork in East Timor in 1973-74, testifying before the committee on June 28, 1977, said of the East Timorese society and economy:[58]

> While hardly achieving an advanced state of technological development and economic output, the native peoples of East Timor have evidenced an ecological adaptability and the technological and economic means of meeting their own needs, the demands of the colonial administration, and generating the surpluses necessary to a sustained external trade.

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54. Situation Report No. 1, Friday, October 19, 1979, of the Office of U.S. Foreign Disaster Assistance, U.S. International Development Cooperation Agency, Agency for International Development, p. 1.

55. Eyewitness accounts from Dili attest, however, to continued secret disembarkations of fresh troops by night after that date.

56. Situation Report No. 1, p. 2. Italics added.

57. To use the words of Mr. Kamm in the New York Times, January 28, 1980.

58. Human Rights in East Timor, p. 12.

Portuguese census figures confirm Prof. Forman's view by showing a slow but steady rise in the East Timorese population over decades.[59] (Prof. Forman has informed me that in 1973-74 East Timor was visibly better off than West Timor, long part of Indonesia.)

But Mr. Masters's remarks are in fact an unwittingly devastating comment on the Suharto regime and American policy towards it. Why -- after 15 years of the vaunted Indonesian "economic miracle," after billions of dollars in aid and billions more of foreign investment in this OPEC state -- are 60% percent of preschool age children in East Nusa Tenggara suffering from malnutrition? Why is the local per capita income $32 a year, when Suharto has spent at least $1,000,000 on a pompous mausoleum for himself and his wife?[60] When Mrs. Suharto is known throughout Indonesia as "Mrs. Ten Percent?" When Indonesia nets at least $12 billions a year in oil revenues.[61]

And even supposing that Mr. Masters's description of East Timor were correct -- that "it can no longer support its former population" -- how would he explain the fact that the Suharto regime has just designated the territory as a transmigration zone where Indonesian peasants from other islands will be transferred and resettled?[62]

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59. Consider the following data, adapted from Table 37 in Joachim Metzner, Man and Environment in Eastern Timor (Canberra: The Australian National University, Development Studies Centre Monograph No. 8, 1977), p. 250, drawn from Portuguese censuses:

Year	Estimated Population
1930	472,221
1947	433,412
1950	442,378
1960	517,069
1970	610,541

The drop in the population in the 1940's was due to an earlier invasion and occupation -- by the Japanese in World War II.

60. Kompas, January 1, 1978. (The rupiah figure given is 500,000,000). Contrast this figure with total relief aid to East Timor by the end of 1979 -- about

I hope very much, Mr. Chairman, that the facts that have come to light in the world press, and the cumulative testimony that Congress has elicited over the past three years, will help to convince the committee of the need to change our present disastrous and hypocritical policy. Far from aiming at the welfare of the East Timorese people, American policy, guided by Messrs. Kissinger, Newsom, Holbrooke, Oakley, and Masters, has deliberately sacrificed that welfare for the sake of a corrupt, incompetent,[63] and repressive regime which has one of the worst human rights records in the world. Indonesia's attempted annexation of East Timor serves no conceivable American interests; it does not even serve Indonesia's. Like the Greek colonels' grab for Cyprus, it simply represents the ruthless and reckless aggression of a small clique of military leaders. To agree with the Indonesian generals that their military occupation of East Timor is necessary for their country's security is to condone precisely the underlying rationale for the Soviet Union's move into Afghanistan.

What could and should now be done? I suggest that the U.S. should use its great influence in Indonesia in congruence with world opinion, and begin to pressure the Suharto government towards a complete withdrawal from East Timor. Lisbon is clearly ready to assist the U.N. in organizing a procedure whereby its former colony can decide its own future in accordance with the U.N. Charter. At the same time, we should maximize relief to the East Timorese. This would not mean merely pouring more money and supplies into existing woefully undermanned relief agencies,[64] but

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60. (cont.) $9,000,000. And contrast this $9,000,000 aid figure with the 1978 figure of $112,000,000 in U.S. arms sales to the Suharto regime.

61. Indonesia produces about 2,000,000 barrels a day, through a variety of production sharing ventures with oil multinationals. As of February 4, 1980, it charges $29.50 a barrel.

62. On January 14, 1980, Indonesia's semi-official newsagency Antara quoted Mr. Urip Widodo, Secretary-General of the Ministry of Manpower, Transmigration, and Cooperatives, as saying plans for such transmigration had already been worked out. "It is impossible to develop this vast province with the small number of people living there," he stated, with doubtless unconscious irony.